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## FACSIMILE COMMUNICATION

**To:** Examiner Gail Verbitsky  
**Fax #:** 571-273-2253  
**Re:** U.S. Patent Application No. 10/088,206  
**From:** Cathy Ryan for J. Ernest Kenney  
**Total pages:** 17

**Date:** September 1, 2004

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Thank you, BACON & THOMAS, PLLC.

**Message:** As requested, enclosed is a copy of the amendment filed on June 4, 2004.

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Baron  
(NG)  
9/14/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application

Examiner: Gail Kaplan Verbitsky

Luc Dewaele

Group Art Unit: 2859

Serial Number: 10/088,206

Attorney Docket: DEWA3001/JEK

Filed: July 9, 2002

For: METHOD AND DEVICE FOR MONITORING THE WEAR OF A RAPIER BAND

RESPONSE TO OFFICE ACTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This is responsive to the office action mailed December 4, 2003 finally rejecting claims 13-21, 24, 28 and 29 in the above application. This response is timely in view of the accompanying petition for enlargement of the shortened statutory period for response set by the Examiner. The petition fee for enlarging the period for response is submitted herewith.

General Comments

It is proposed to amend the claims of this application to place them in condition for allowance or in better form for appeal. Entry of the amendment is respectfully requested at least for purposes of an appeal in the event that the Examiner does not withdrawal the rejections.

Entry of the amendments is appropriate because they do not present any new issues that will require further detailed consideration or searching. The amendments were not previously proposed because it was believed that the claims as previously presented were fully distinguishable over the prior art and the Examiner's prior rejection of the claims was not fully understood.

Serial No. 10/088,206  
Group Art Unit: 2859  
Examiner: Gail Kaplan Verbitsky

**Amendments**

The claims are amended as shown on the following pages under the heading LIST OF CURRENT CLAIMS. The status of all claims presented in this application is indicated in the list of claims. All presently proposed amendments to the claims are also shown. Any cancellation of claims is made without prejudice or disclaimer.